

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

GREAT LAKES INSURANCE SE,)	
)	
Plaintiff,)	
)	
v.)	
)	Case No. CIV-22-702-JD
FREDY VALLE d/b/a VALLE)	
TRUCKING;)	
SILVER STAR CONSTRUCTION)	
COMPANY, INC.;)	
TYLON MACKEY;)	
ISRAEL JUAREZ;)	
ORD TRUCKING, INC.;)	
ZURICH AMERICAN INS. CO.,)	
)	
Defendants.)	
)	
ZURICH AMERICAN INS. CO.)	
)	
Third-Party Plaintiff,)	
)	
BERKSHIRE HATHAWAY)	
HOMESTATE INS. CO., and)	
PROGRESSIVE NORTHERN)	
INS. CO.)	
)	
Third-Party Defendants.)	

MOTION FOR LEAVE TO FILE ANSWER OUT OF TIME

COMES NOW Defendant, ORD Trucking, Inc., and moves this Court for an Order allowing Defendant to file its Answer out of time. No party opposes the relief requested. In support thereof, Defendant shows the Court as follows:

1. Defendant was served with the action on August 19, 2022. The undersigned counsel for Defendant contacted Plaintiff counsel, Michael Linscott, on August 25, 2022, and an agreement was reached whereby Defendant would not file an Answer until all Defendants had been served and their positions regarding the central coverage issue, i.e., which Defendants would oppose the relief sought, was known. See Doc. 16, ¶¶ 1-2.
2. Periodically, throughout the pendency of the action, the undersigned counsel for Defendant and counsel for Plaintiff communicated regarding the procedural status and when Plaintiff would require an Answer from Defendant. The crux of the discussions has been that Defendant is generally neutral on the relief sought herein and, accordingly, would seek to be dismissed by stipulation at the appropriate time after answering the suit.
3. On April 26, 2023, in connection with the preparation of a Joint Status Report, the undersigned counsel for Defendant again conferred with Plaintiff counsel, and it was agreed this Motion would be filed and upon the Court's anticipated Order allowing such filing, Defendant would file its Answer herein.

WHEREFORE, Defendant ORD Trucking, Inc., without opposition from Plaintiff, requests permission from the Court to file an Answer out of time.

s/Rodney D. Stewart

Rodney D. Stewart

Bar Number: 15105

Attorney for Defendant,
ORD Trucking, Inc.

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CERTIFICATE OF SERVICE

I hereby certify that on April 27, 2023, I electronically transmitted the attached document to the Clerk of Court using Electronic Case Filing System for filing. Based on the records currently on file in this case, the Clerk of Court will transmit a Notice of Electronic Filing to those registered participants of the ECF System.

s/Rodney D. Stewart

Rodney D. Stewart